

MEMO ENDORSED

**Federal Defenders
OF NEW YORK, INC.**

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December 17, 2020

VIA ECF

The Honorable Judge Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

USDC SDNY
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Re: United States v. Salifou Conde et al. (Issiaga Sylla),
19 CR 808 (VEC)

Dear Judge Caproni:

As directed by the Court in its Order at ECF Doc. No. 146, I write to describe my conflict with beginning Mr. Sylla's trial on March 15, 2021. As an initial matter, I note that the parties are actively engaged in plea discussions and I anticipate we will reach a disposition sometime early in the new year. However, if Mr. Sylla's case were to proceed to trial, I am not available in March.

I am the mother to two school-aged children (6 years old and 10 years old) enrolled in a New York City public school. While Mayor de Blasio has recently announced the re-opening of schools fulltime, the City has not extended that option to parents, like myself, who opted for remote learning at the start of the school year. As a result, both of my children are learning remotely from our home. They do not attend school in-person. I am responsible for supervising them during the day. I have explored the option of private childcare during school hours but the costs are prohibitive. I have no other childcare options.

I, like many other working parents in the City, are in the midst of a childcare crisis brought on by the COVID pandemic. Until I have childcare, I cannot effectively try a criminal case or prepare to try a criminal case. To effectively

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represent Mr. Sylla at his trial, I need significant time to prepare; time that I simply do not have. I cannot effectively represent a defendant in a criminal trial under these circumstances. Against this backdrop, I ask that Mr. Sylla's trial not be scheduled in March.

Respectfully submitted,

/s/

Julia Gatto
Assistant Federal Defender
Tel: (212) 417-8750

cc: all parties (via ECF)

The Court thanks Ms. Gatto for the explanation and expresses sympathy for the extreme difficulties COVID has caused for working parents. No later than **December 28, 2020**, Defense counsel must submit a letter indicating when, assuming a disposition is not reached with the Government, she would be available to try this case and whether the Federal Defenders Office anticipates reassigning the case if the March 15, 2021 trial date goes forward.

SO ORDERED.



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

12/17/2020